

Practitioner's Docket No. NEB-210-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor's Name: Huimin Kong, Myriam Vincent and Yan Xu

Application No.: 10/665,633

Group No.: 1637

Filed: 09/19/2003

Examiner: Strzelecka

For: Helicase Dependent Amplification of Nucleic Acids

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. Small entity status was asserted on September 19, 2003 by payment of small entity fees.

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using *Express Mail*, the *Express Mail* label number is *mandatory*;  
*Express Mail* certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**

X with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***

G as "Express Mail Post Office to Addressee"

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**TRANSMISSION**

G facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Signature

Leslie Goldberg

\_\_\_\_\_  
(type or print name of person certifying)

\* Only the date of filing ( ' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" ( ' 1.10) or facsimile transmission ( ' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

### EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	50	- 50	= 0	x \$ 25.00	= \$	0.00	
INDEP.	3	- 3	= 0	x \$ 100.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00	
				TOTAL ADDIT. FEE	\$	0.00	

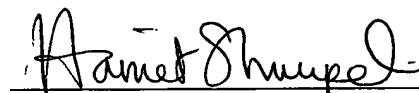
No additional fee for claims is required.

### FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 14-0740.

If an additional fee for claims is required, charge Account No. 14-0740.

Date: March 30, 2006



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APPLICANTS: Kong et al. EXAMINER: Strzelecka  
SERIAL NO.: 10/665,633 GROUP: 1637  
FILED: September 19, 2003  
FOR: Helicase-Dependent Amplification of Nucleic Acids

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Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 30, 2006.

  
Leslie Goldberg

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**AMENDMENT**

In response to the Official Action mailed March 8, 2006, Applicants wish to elect Group 1 claims 1-45, 49 and 50 without traverse. Claims 46-48 have been withdrawn without prejudice. The listing of claims begins on page 2 of this response. Applicants elect species A (claim 13) in the event that the generic claim 1 is found not to be allowable. The Conclusion section appears on page 10.